

**THIRTY-SIXTH LEGISLATIVE DAY
MONDAY, FEBRUARY 16, 2004**

House of Representatives

The House convened at 10 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent and excused -- Roberts. Total -- 1.

Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Cassie Beck, Page.

Approval of Journal

February 16, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-third Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

At this time, the Speaker put the House at ease.

MEMORIAL SERVICE

Opening Remarks Representative David Langhorst
Choral Performance Riverglen Junior High School Choir

"Mi Yitneni Of"
"Adoramus Te Christe"

Julia Kole Choir Director

Benediction Chaplain Jim Hardenbrook

Bagpiper Sergeant Rich Fuhrman
Boise City Police

"Amazing Grace"

A HOUSE MEMORIAL

WHEREAS, Representative James A. "Jim" Leese has passed on since the close of the First Regular Session of the Fifty-seventh Idaho Legislature; and

WHEREAS, the late Representative Leese served in this House, in the interest of Bannock County during the Forty-fourth Legislature covering the year 1977.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-seventh Legislature draw public attention by this Memorial to the life and works of

James A. "Jim" Leese.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-seventh Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Leese family.

Representative Andersen paid tribute to the former Representative Leese.

A HOUSE MEMORIAL

WHEREAS, Representative Marion "Swede" Davidson has passed on since the close of the First Regular Session of the Fifty-seventh Idaho Legislature; and

WHEREAS, the late Representative Davidson served in this House, in the interest of Bonner and Boundary Counties during the Thirty-sixth through Forty-sixth Legislatures covering the years 1961 through 1982.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-seventh Legislature draw public attention by this Memorial to the life and works of Marion "Swede" Davidson.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-seventh Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Davidson family.

Representative Mitchell paid tribute to the former Representative Davidson.

A HOUSE MEMORIAL

WHEREAS, Representative Gary Paxman has passed on since the close of the First Regular Session of the Fifty-seventh Idaho Legislature; and

WHEREAS, the late Representative Paxman served in this House, in the interest of Bingham and Bonneville Counties during the Forty-fifth through Forty-seventh Legislatures covering the years 1979 through 1983.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-seventh Legislature draw public attention by this Memorial to the life and works of Gary Paxman.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-seventh Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Paxman family.

Representative Barraclough paid tribute to the former Representative Paxman.

A HOUSE MEMORIAL

WHEREAS, Representative Angus Condie has passed on since the close of the First Regular Session of the Fifty-seventh Idaho Legislature; and

WHEREAS, the late Representative Condie served in this House, in the interest of Bear Lake, Caribou, and Franklin Counties during the Fortieth through Forty-third Legislatures covering the years 1969 through 1976.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-seventh Legislature draw public attention by this Memorial to the life and works of Angus Condie.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-seventh Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Condie family.

Representative Bradford paid tribute to the former Representative Condie.

A HOUSE MEMORIAL

WHEREAS, Representative Hamer "Judge" Budge has passed on since the close of the First Regular Session of the Fifty-seventh Idaho Legislature; and

WHEREAS, the late Representative Budge served in this House, in the interest of Ada County during the Twenty-fifth, Twenty-sixth, and Thirtieth Legislatures covering the years 1939 through 1942 and 1949 through 1950.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-seventh Legislature draw public attention by this Memorial to the life and works of Hamer "Judge" Budge.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-seventh Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Budge family.

Representative Snodgrass paid tribute to the former Representative Budge.

A HOUSE MEMORIAL

WHEREAS, Representative Peggy Bunting Orme has passed on since the close of the First Regular Session of the Fifty-seventh Idaho Legislature; and

WHEREAS, the late Representative Bunting Orme served in

this House, in the interest of Ada County during the Forty-second through Forty-seventh Legislatures covering the years 1973 through 1984.

NOW, THEREFORE, BE IT RESOLVED that the House of Representatives of the Fifty-seventh Legislature draw public attention by this Memorial to the life and works of Peggy Bunting Orme.

BE IT FURTHER RESOLVED that the House of Representatives of the Fifty-seventh Idaho Legislature extend to the bereaved family the heartfelt sympathy of this entire body; and

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby instructed to spread this Memorial upon the Journal of the House, and to forward copies to the members of the Bunting Orme family.

Representative Wood paid tribute to the former Representative Bunting Orme.

Prior to going at ease, the House was at the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Hilde Kellogg, State Representative, District 5, Kootenai County, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Robert Nonini, of Coeur d' Alene, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Robert Nonini, Acting State Representative, District 5, Kootenai County, State of Idaho, for a term commencing on Monday, February 16, 2004, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 13th day of February in the year of our Lord two thousand and four, and of the Independence of the United States of America, the two hundred and twenty-eighth year.

/s/ DIRK A. KEMPTHORNE
Governor
/s/ BEN YSURA
Secretary of State

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mr. Nonini.

February 13, 2003

Mr. Speaker:

I return herewith enrolled **H 566** which has been signed by the President.

WOOD, Secretary

Enrolled **H 566** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 13, 2004

Mr. Speaker:

I transmit herewith **SJM 106**, **S 1210**, and **S 1283** which have passed the Senate.

WOOD, Secretary

SJM 106, **S 1210**, and **S 1283** were filed for first reading.

February 13, 2004

Mr. Speaker:

I return herewith **H 510** which has passed the Senate.

WOOD, Secretary

H 510 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 16, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 45**, **HJM 18**, **H 676**, **H 677**, **H 678**, **H 679**, **H 680**, **H 681**, **H 682**, **H 683**, **H 684**, **H 685**, **H 686**, **H 687**, **H 688**, **H 689**, **H 690**, **H 691**, **H 692**, **H 693**, **H 694**, **H 695**, **H 696**, **H 697**, and **H 698**.

FIELD(18), Chairman

HCR 45 and **H 684** were referred to the Transportation and Defense Committee.

HJM 18, **H 677**, **H 678**, **H 679**, **H 680**, **H 681**, **H 682**, and **H 683** were referred to the Agricultural Affairs Committee.

H 676 was referred to the Environmental Affairs Committee.

H 685, **H 686**, **H 688**, **H 689**, and **H 690** were referred to the Local Government Committee.

H 687 was referred to the Business Committee.

H 692 and **H 693** were referred to the State Affairs Committee.

H 694, **H 696**, **H 697**, and **H 698** were referred to the Health and Welfare Committee.

H 695 was referred to the Ways and Means Committee.

H 691 was filed for second reading.

February 16, 2004

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **HCR 39** and recommend that it do pass.

DEAL, Chairman

HCR 39 was filed for second reading.

February 16, 2004

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 602** and recommend that it do pass.

BARRACLOUGH, Chairman

H 602 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Denney moved that the following persons be approved as attaches to serve the House of Representatives for and during the Second Regular Session of the Fifty-seventh Idaho Legislature. Seconded by Ms. Jaquet.

Pages:

Jordan Alvis

Cassie Beck

Laura Cox

Jessica D'Orazi

Jenna Erlebach

Annalise Field

Arielle Gorin

Dustin Grant

Jeremiah Kats

Danika Kramer

Sara Shaffer

Jesse Stricklan

Brittany Zabransky

Whereupon the Speaker declared the motion carried by voice vote and administered the oath of office to the above named attaches.

HOUSE CONCURRENT RESOLUTION NO. 46 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND
REJECTING A CERTAIN RULE OF THE DIVISION OF
HUMAN RESOURCES AND PERSONNEL COMMISSION.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule of the Division of Human Resources and Personnel Commission relating to nepotism is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 15.04.01, Section 025, rules of the Division of Human Resources and Personnel Commission relating to nepotism, adopted as a pending rule under Docket Number 15-0401-0301, be, and the same is hereby rejected and declared null, void and of no force and effect.

**HOUSE CONCURRENT RESOLUTION NO. 47
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE, ADOPTING A STATE EMPLOYEE COMPENSATION POLICY, ADOPTING FUNDING RECOMMENDATIONS, STATING POLICY TOWARD SALARY SAVINGS REGARDING PAY POLICIES FOR STATE EMPLOYEES AND DIRECTING MANAGEMENT OF COMPENSATION AND FUNDING POLICIES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature has by law provided that the Governor and the Division of Human Resources report to the Legislature their recommendations for proposed pay policies, together with the estimated cost thereof; and

WHEREAS, the Legislature has received and reviewed the report of the Governor dated January 12, 2004, and the report of the Division of Human Resources dated October 1, 2003; and

WHEREAS, it is the mission of the Idaho State Government to provide a high level of responsive service in meeting the needs of its citizens.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that:

(1) It is the policy of the state of Idaho to provide a total compensation system that attracts, retains and recognizes state employees for their valuable service. The foundation of this system is to pay competitive job market average salaries and to reward performance with a merit based compensation philosophy.

(2) The Joint Finance-Appropriations Committee is directed to provide funding for the following specific compensation measures:

(a) Funding of \$10,923,900 from the General Fund for benefit cost increases for health insurance, Public Employee Retirement System rate changes, and various other salary based benefits as recommended in the Governor's report;

(b) Funding of \$10,002,100 from the General Fund for 2% salary increases for state employees as recommended in the Governor's report; and

(c) One-time contingency funding of \$5,001,000 in General Funds, for an additional temporary salary

increase of 1%. This increase shall be contingent upon General Fund revenues exceeding the fiscal year 2004 revenue projection used by the Joint Finance-Appropriations Committee by a minimum of \$5,001,000. The Joint Finance-Appropriations Committee shall design a surplus eliminator appropriation to provide this temporary salary increase, should available funds in excess of the revenue projection become available.

(3) For those agencies funded in total or in part from non-General Fund money, the Joint Finance-Appropriations Committee is directed to appropriate in as nearly as possible the same manner as agencies funded by the General Fund.

(4) The Legislature recognizes that no specific funding for salary increases for state agencies and institutions has been provided for the last two fiscal years. As such, state agency directors and institution executives are encouraged to allocate agency salary savings to provide for employee salary needs before other operational budget priorities are considered. One-time salary increases should be given if the salary savings are one-time in nature. Ongoing salary increases may be given if the salary savings are expected to be ongoing in nature and, where applicable, particular emphasis should be placed on those employees in occupational groups with significant market pay lag and turnover rates.

(5) The Division of Human Resources and the Division of Financial Management shall ensure that agency and institution compensation policies are managed consistent with the policies contained herein.

(6) The effective date of implementation of these salary adjustments shall be June 6, 2004.

BE IT FURTHER RESOLVED that appropriations measures to fund nonclassified employees be prepared in as nearly as possible the same manner as for classified employees.

**HOUSE JOINT MEMORIAL NO. 19
BY RESOURCES AND CONSERVATION COMMITTEE**
A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-seventh Idaho Legislature, do hereby respectfully represent that:

WHEREAS, according to the United States Fish and Wildlife Service, in 2001, 82 million individuals, sixteen years of age and older, participated in wildlife related recreation, including 13 million who hunted, 34 million who fished, and more than 66 million who engaged in activities such as observing, feeding, and photographing wildlife in the United States; and

WHEREAS, individuals who participated in wildlife related activities in 2001 spent an estimated 108 billion dollars, including more than 35 billion dollars on fishing, nearly 21 billion dollars on hunting, and more than 28 billion dollars on food, lodging, and transportation; and

WHEREAS, the growing public demand for outdoor recreational opportunities is increasingly constrained by the limits on both public and private land resources. Limited public access on private land has often frustrated and disappointed hunters and other naturalists, and undermined the relationship between landowners and the general public; and

WHEREAS, several states, including Idaho, have established successful but modest walk-in programs to encourage public access on private farm and ranch land, yet the demand for such voluntary access programs remains largely unfulfilled; and

WHEREAS, in recent years traditional agricultural markets have offered limited income opportunities for farm and ranch landowners and operators. Current proposals to reform world agricultural trade favor the development of new methods to support the income of agricultural producers that have minimal impact on agricultural production and prices; and

WHEREAS, there is currently pending before the Congress of the United States, the "Voluntary Public Access and Habitat Incentive Program of 2003" which would create a voluntary, incentive-based program for landowners, such as farmers and ranchers, who agree to make their land accessible in exchange for a per acre payment. Each state would design and implement its own access program, funded by the United States Department of Agriculture.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-seventh Idaho Legislature, the House of Representatives and the Senate concurring therein, that we support the passage of the "Voluntary Public Access and Habitat Incentive Program of 2003," to encourage owners and operators of privately held farm and ranch land to voluntarily make their land available for access by the public under programs administered by states.

BE IT FURTHER RESOLVED that we urge the congressional delegation representing the State of Idaho in the Congress of the United States to cosponsor and actively support passage of the "Voluntary Public Access and Habitat Incentive Program of 2003."

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

HCR 46, HCR 47, and HJM 19 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SJM 106, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 699
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT**

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1302, IDAHO CODE, TO PROVIDE THAT AN EMPLOYEE SHALL BE DEEMED A VESTED MEMBER IF THE EMPLOYEE WAS AN EMPLOYEE OF A STATE COLLEGE, UNIVERSITY, COMMUNITY COLLEGE OR PROFESSIONAL-TECHNICAL CENTER IN A RESEARCH POSITION PRIMARILY FUNDED BY FEDERAL OR PRIVATE GRANT FUNDS.

**HOUSE BILL NO. 700
BY RESOURCES AND CONSERVATION COMMITTEE
AN ACT**

RELATING TO FISH AND GAME; AMENDING SECTION 36-114, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE PAYMENT OF SPECIFIED CLAIMS FROM THE BIG GAME PRIMARY DEPREDATION ACCOUNT; AMENDING SECTION 36-115, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE PAYMENT OF SPECIFIED CLAIMS FROM THE BIG GAME SECONDARY DEPREDATION ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 36-1108, IDAHO CODE, TO CLARIFY PROVISIONS RELATING TO COMPENSATION FROM THE BIG GAME PRIMARY DEPREDATION ACCOUNT FOR CERTAIN CROP LOSSES AND DAMAGE CLAIMS, TO PROVIDE FOR CERTAIN ADDITIONAL CLAIMS, TO REVISE PROCEDURES RELATING TO THE DETERMINATION AND PAYMENT OF CERTAIN DAMAGE CLAIMS AND TO REVISE PROCEDURES AND DUTIES RELATING TO SPECIFIED ARBITRATION PANELS; AND AMENDING SECTION 36-1109, IDAHO CODE, TO REVISE PROCEDURES RELATING TO THE DETERMINATION, PROCESSING AND PAYMENT OF CLAIMS FOR DAMAGE OR DESTRUCTION BY BLACK BEARS OR MOUNTAIN LIONS.

**HOUSE BILL NO. 701
BY HEALTH AND WELFARE COMMITTEE
AN ACT**

RELATING TO THE IDAHO BOARD OF NURSING; AMENDING SECTION 54-1402, IDAHO CODE, TO DEFINE "NURSING ASSISTANT"; AND AMENDING SECTION 54-1404, IDAHO CODE, TO REQUIRE LICENSURE BY THE BOARD OF NURSING OF NURSING ASSISTANTS ON AND AFTER JULY 1, 2006.

**HOUSE BILL NO. 702
BY BUSINESS COMMITTEE
AN ACT**

RELATING TO MENTAL HEALTH PARITY IN STATE GROUP INSURANCE; STATING FINDINGS OF THE LEGISLATURE; AMENDING CHAPTER 57, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5761A, IDAHO CODE, TO PROVIDE THAT STATE EMPLOYEES WITH SERIOUS MENTAL ILLNESSES MUST NOT BE DISCRIMINATED AGAINST IN GROUP DISABILITY INSURANCE BENEFITS OR GROUP HEALTH CARE SERVICE COVERAGES, TO DEFINE "SERIOUS

MENTAL ILLNESS" AND TO PROVIDE REQUIREMENTS FOR COVERAGE OF SERIOUS MENTAL ILLNESSES; TO PROVIDE FOR A REPORT TO THE LEGISLATURE OF THE ADDITIONAL COSTS INCURRED TO PROVIDE THE COVERAGE; AND TO PROVIDE AN EFFECTIVE DATE AND A SUNSET DATE.

HOUSE BILL NO. 703
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO AGRICULTURAL AND FARM EQUIPMENT AND CONTRACTS; AMENDING SECTION 28-23-101, IDAHO CODE, TO PROVIDE FOR THE PAYMENT OR CREDIT FOR DEMONSTRATION OR RENTAL EQUIPMENT THAT HAS NOT BEEN RETAILED TO AN END USER AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 28-23-102, IDAHO CODE, TO REVISE THE PROCEDURES AND CREDITS FOR REPURCHASE OF REPAIR PARTS, REPAIR MANUALS, SPECIALIZED REPAIR TOOLS AND SIGNAGE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-23-105, IDAHO CODE, TO PROVIDE FOR ONE HUNDRED PERCENT CURRENT NET PRICE FOR MANUALS AND REPAIR MANUALS AND REASONABLE REIMBURSEMENT FOR SERVICES PERFORMED IN CONNECTION WITH ASSEMBLY AND PREDELIVERY INSPECTIONS OF THE EQUIPMENT, TO PROVIDE VENUE FOR CAUSES OF ACTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-23-106, IDAHO CODE, TO PROVIDE APPLICATION TO TRANSPORTATION CHARGES WHICH HAVE BEEN PAID BY THE RETAILER OR INVOICED TO THE RETAILER'S ACCOUNT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 28-23-108, IDAHO CODE, TO INCREASE NOTICE PROVISIONS TO NINETY DAYS; AMENDING SECTION 28-24-102, IDAHO CODE, TO FURTHER DEFINE TERMS; AMENDING SECTION 28-24-103, IDAHO CODE, TO REVISE UNLAWFUL ACTS AND PRACTICES REGARDING EQUIPMENT DEALERS; AMENDING SECTION 28-24-104, IDAHO CODE, TO REVISE TIME PERIODS FOR A DEALER TO CURE A PROBLEM AND TO PROVIDE PROCEDURES PRIOR TO THE TERMINATION OR NONRENEWAL OF A DEALER AGREEMENT; AMENDING PART 1, CHAPTER 24, TITLE 28, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 28-24-104A, 28-24-104B, 28-24-104C, 28-24-104D AND 28-24-104E, IDAHO CODE, TO PROVIDE THE ESTABLISHMENT OF A NEW DEALERSHIP AND THE SUPPLIER'S DUTIES, TO PROVIDE FOR WARRANTY CLAIMS, TO PROVIDE FOR AUDIT OF WARRANTY CLAIMS, TO PROVIDE FOR ARBITRATION AND TO PROVIDE FOR SUCCESSORS IN INTEREST; AND AMENDING SECTION 28-24-105, IDAHO CODE, TO INCLUDE DATA PROCESSING SOFTWARE IN REMEDIES AND ENFORCEMENT PROVISIONS, TO PROVIDE VENUE FOR CAUSES OF ACTION AND TO MAKE A TECHNICAL CORRECTION.

HOUSE BILL NO. 704

BY BUSINESS COMMITTEE
 AN ACT

RELATING TO INSURANCE; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1846, IDAHO CODE, TO PROVIDE FOR ELECTRONIC ACCESS TO HEALTH INSURANCE INFORMATION FOR CONSUMERS, TO PROVIDE FOR NOTIFICATION, TO PROVIDE FOR PAPER COPIES UPON CONSUMER REQUEST AND TO DEFINE "CARRIER."

HOUSE BILL NO. 705
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO PROMPT PAYMENT OF HEALTH INSURANCE CLAIMS; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 56, TITLE 41, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR THE TIMING AND METHOD OF CLAIM PAYMENTS, TO PROVIDE FOR PROVIDER BILLING, TO PROVIDE FOR INTEREST PAYMENTS AND TO PROVIDE EXCEPTIONS; PROVIDING AN EFFECTIVE DATE AND PROVIDING APPLICATION.

HOUSE BILL NO. 706
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO COSMETICIANS; AMENDING SECTION 54-828, IDAHO CODE, TO DELETE LANGUAGE PROVIDING FOR THE APPOINTMENT OF COSMETOLOGISTS BY THE GOVERNOR AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-831, IDAHO CODE, TO PROVIDE THAT THE BOARD SHALL APPOINT LICENSED PERSONS TO SERVE AS EXAMINING ASSISTANTS FOR THREE YEAR TERMS TO ASSIST THE BOARD IN THE ADMINISTRATION OF LICENSURE EXAMINATIONS AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 54-832, IDAHO CODE, TO PROVIDE FOR COMPENSATION FOR EXAMINING ASSISTANTS.

HOUSE BILL NO. 707
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO INSURANCE; AMENDING CHAPTER 21, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-2145, IDAHO CODE, TO PROVIDE FOR A DISCOUNT BASED UPON AN INDIVIDUAL'S WEIGHT OR ADHERENCE TO A SCHEDULE FOR PHYSICALS AND TO ALLOW FOR FINANCIAL INCENTIVES; AMENDING CHAPTER 22, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-2224, IDAHO CODE, TO PROVIDE FOR A DISCOUNT BASED UPON AN INDIVIDUAL'S WEIGHT OR ADHERENCE TO A SCHEDULE FOR PHYSICALS AND TO ALLOW FOR FINANCIAL INCENTIVES; AMENDING CHAPTER 34, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-3444, IDAHO CODE, TO PROVIDE FOR A DISCOUNT BASED UPON AN INDIVIDUAL'S WEIGHT OR ADHERENCE TO A SCHEDULE FOR PHYSICALS AND TO

ALLOW FOR FINANCIAL INCENTIVES; AND AMENDING CHAPTER 39, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-3941, IDAHO CODE, TO PROVIDE FOR A DISCOUNT BASED UPON AN INDIVIDUAL'S WEIGHT OR ADHERENCE TO A SCHEDULE FOR PHYSICALS AND TO ALLOW FOR FINANCIAL INCENTIVES.

HOUSE BILL NO. 708
BY BUSINESS COMMITTEE
AN ACT

RELATING TO INSURANCE; AMENDING CHAPTER 21, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-2145, IDAHO CODE, TO REQUIRE COVERAGE FOR EXPENSES FOR SERVICES RELATED TO MORBID OBESITY AND TO DEFINE "MORBID OBESITY"; AMENDING CHAPTER 22, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-2224, IDAHO CODE, TO REQUIRE COVERAGE FOR EXPENSES FOR SERVICES RELATED TO MORBID OBESITY AND TO DEFINE "MORBID OBESITY"; AMENDING CHAPTER 34, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-3444, IDAHO CODE, TO REQUIRE COVERAGE FOR EXPENSES FOR SERVICES RELATED TO MORBID OBESITY AND TO DEFINE "MORBID OBESITY"; AND AMENDING CHAPTER 39, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-3941, IDAHO CODE, TO REQUIRE COVERAGE FOR EXPENSES FOR SERVICES RELATED TO MORBID OBESITY AND TO DEFINE "MORBID OBESITY."

HOUSE BILL NO. 709
BY BUSINESS COMMITTEE
AN ACT

RELATING TO PROMPT PAYMENT OF CLAIMS; AMENDING TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 56, TITLE 41, IDAHO CODE, TO DEFINE TERMS, TO REQUIRE THE PROMPT PAYMENT OF CLAIMS, TO PROVIDE FOR INTEREST PAYMENTS, TO PROVIDE EXCEPTIONS AND TO PROVIDE PENALTIES; PROVIDING AN EFFECTIVE DATE AND PROVIDING APPLICATION.

HOUSE BILL NO. 710
BY BUSINESS COMMITTEE
AN ACT

RELATING TO EMERGENCY SERVICES; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1846, IDAHO CODE, TO PROVIDE FOR THE REIMBURSEMENT OF EMERGENCY SERVICES, TO PROVIDE APPLICATION AND TO DEFINE TERMS.

HOUSE BILL NO. 711
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE IDAHO STATE INDEPENDENT LIVING COUNCIL; AMENDING TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 12, TITLE 56,

IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT AND TO CREATE THE IDAHO STATE INDEPENDENT LIVING COUNCIL, TO PROVIDE EXEMPTION FROM CERTAIN STATE LAWS, TO PROVIDE POWERS OF THE IDAHO STATE INDEPENDENT LIVING COUNCIL, TO PROVIDE FOR APPOINTMENT OF DIRECTORS OF THE IDAHO STATE INDEPENDENT LIVING COUNCIL, TO PROVIDE ADDITIONAL POWERS AND DUTIES OF THE COUNCIL, TO PROVIDE FOR ALLOCATION OF FUNDS BY DESIGNATED STATE UNITS AND TO CREATE THE IDAHO STATE INDEPENDENT LIVING COUNCIL FUND.

HOUSE BILL NO. 712
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO DESIGNATION OF THE STATE RAPTOR; AMENDING THE HEADING FOR CHAPTER 45, TITLE 67, IDAHO CODE; AND AMENDING CHAPTER 45, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-4512, IDAHO CODE, TO DESIGNATE THE PEREGRINE FALCON AS THE STATE RAPTOR OF THE STATE OF IDAHO.

HOUSE BILL NO. 713
BY EDUCATION COMMITTEE
AN ACT

RELATING TO THE STATE SCHOLARSHIP PROGRAM; AMENDING SECTION 33-4305, IDAHO CODE, TO LIMIT APPLICABILITY TO ENTERING STUDENTS; AMENDING SECTION 33-4306, IDAHO CODE, TO LIMIT SUBSEQUENT GRANTS TO ONE SCHOOL TERM; AMENDING SECTION 33-4307, IDAHO CODE, TO PROVIDE THAT THE GRANT PAYMENT FOR CATEGORY B STUDENTS IS FOR THE FIRST YEAR OF ATTENDANCE IN THE MAXIMUM AMOUNT OF ONE THOUSAND DOLLARS AND TO MAKE TECHNICAL CORRECTIONS; TO PROVIDE FOR TRANSITION; AND PROVIDING AN EFFECTIVE DATE.

H 699, H 700, H 701, H 702, H 703, H 704, H 705, H 706, H 707, H 708, H 709, H 710, H 711, H 712, and H 713 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1210, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1283, by State Affairs Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 43, by Business Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

H 502 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal to open debate.

Mr. Deal asked unanimous consent that, pursuant to Rule 22, discussion of **H 624** be allowed in debate of **H 502**. There being no objection, it was so ordered.

The question being, "Shall **H 502** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Black, Block, Boe, Campbell, Cannon, Clark, Collins, Crow, Deal, Eberle, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jones, Kellogg(Nonini), Lake, Meyer, Miller, Moyle, Naccarato, Nielsen, Ring, Rydalch, Schaefer, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 38.

NAYS -- Andersen, Barrett, Bauer, Bayer, Bolz, Bradford, Cuddy, Denney, Douglas, Edmunson, Ellsworth, Henbest, Jaquet, Kulczyk, Langford, Langhorst, Martinez, McGeachin, McKague, Mitchell, Pasley-Stuart, Raybould, Ridinger, Ringo, Roberts, Robison, Sali, Sayler, Shepherd, Smith(24), Trail, Wood. Total -- 32.

Paired Vote:

AYE -- Lake. NAY -- Roberts.

(Pair enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker declared **H 502** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney moved that the House recess until 2 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 2 p.m.

RECESS

Afternoon Session

The House reconvened at 2 p.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prior to recess, the House was at the Eleventh Order of Business.

Mr. Denney asked unanimous consent that **H 624** be placed at the top of the Third Reading Calendar. There being no objection, it was so ordered.

H 624 was read the third time at length, section by section,

and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal to open debate.

Mr. Harwood, having voted on the prevailing side, served notice that he may ask for reconsideration of the vote by which **H 502** passed the House.

H 502 was ordered held at the Desk.

The question being, "Shall **H 624** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bedke, Bell, Black, Block, Boe, Bolz, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Eberle, Edmunson, Eskridge, Field(18), Field(23), Gagner, Garrett, Jones, Kellogg(Nonini), Kulczyk, Lake, Langford, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Raybould, Ridinger, Ring, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 52.

NAYS -- Bauer, Bayer, Bradford, Douglas, Ellsworth, Harwood, Henbest, Jaquet, Langhorst, Martinez, McGeachin, Moyle, Pasley-Stuart, Ringo, Roberts, Robison, Sali, Trail. Total -- 18.

Total -- 70.

Whereupon the Speaker declared **H 624** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 581 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Campbell to open debate.

The question being, "Shall **H 581** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg(Nonini), Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Deal, Edmunson. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 581** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 537 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould to open debate.

The question being, "Shall **H 537** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg(Nonini), Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 537** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 538 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Moyle to open debate.

The question being, "Shall **H 538** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg(Nonini), Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- Mitchell, Naccarato. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 538** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 567 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(18) to open debate.

The question being, "Shall **H 567** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg(Nonini), Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 567** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 487 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **H 487** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg(Nonini), Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 487** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 488 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Snodgrass to open debate.

The question being, "Shall **H 488** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23),

Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg(Nonini), Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 488** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 489 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Gagner to open debate.

The question being, "Shall **H 489** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg(Nonini), Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- Barrett, Harwood, Kulczyk. Total -- 3.
Total -- 70.

Whereupon the Speaker declared **H 489** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 490 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **H 490** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg(Nonini), Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie,

Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 490** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 491 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Deal to open debate.

The question being, "Shall **H 491** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg(Nonini), Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 491** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 492 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Collins to open debate.

The question being, "Shall **H 492** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg(Nonini), Lake, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- Eskridge, Kulczyk, Langford, Nielsen, Sali. Total -- 5.

Absent and excused -- Cuddy. Total -- 1.
Total -- 70.

Whereupon the Speaker declared **H 492** passed the House.

Title was approved and the bill was ordered transmitted to the Senate.

Mr. Denney asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Thirteenth Order of Business.

Miscellaneous and Unfinished Business

Notice having been served and having voted on the prevailing side, Mr. Harwood moved that the House now reconsider the vote by which **H 502** passed the House. Seconded by Ms. Jaquet.

The question being, "Shall the motion carry?"

Roll call resulted as follows:

AYES -- Andersen, Barrett, Bauer, Bayer, Boe, Bradford, Cuddy, Denney, Douglas, Edmunson, Ellsworth, Gagner, Harwood, Henbest, Jaquet, Kulczyk, Langford, Langhorst, Martinez, McGeachin, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ringo, Roberts, Robison, Sali, Sayler, Shepherd, Smith(24), Smylie, Trail, Wood. Total -- 36.

NAYS -- Barraclough, Bedke, Bell, Black, Block, Bolz, Campbell, Cannon, Clark, Collins, Crow, Deal, Eberle, Eskridge, Field(18), Field(23), Garrett, Jones, Kellogg(Nonini), Lake, McKague, Meyer, Miller, Mitchell, Ring, Rydalch, Schaefer, Shirley, Skippen, Smith(30), Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 34.

Total -- 70.

Whereupon the Speaker declared the motion to reconsider carried.

The question being, "Shall **H 502** pass?"

Roll call resulted as follows:

AYES -- Barraclough, Bedke, Bell, Black, Block, Campbell, Cannon, Clark, Collins, Crow, Deal, Eberle, Eskridge, Field(18), Field(23), Gagner, Garrett, Jones, Kellogg(Nonini), Kulczyk, Lake, McKague, Meyer, Miller, Moyle, Naccarato, Ring, Rydalch, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 36.

NAYS -- Andersen, Barrett, Bauer, Bayer, Boe, Bolz, Bradford, Cuddy, Denney, Douglas, Edmunson, Ellsworth, Harwood, Henbest, Jaquet, Langford, Langhorst, Martinez, McGeachin, Mitchell, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ringo, Roberts, Robison, Sali, Sayler, Schaefer, Shepherd, Smith(24), Trail, Wood. Total -- 34.

Total -- 70.

Whereupon the Speaker declared **H 502** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the

Sixteenth Order of Business.

Adjournment

Mr. Denney moved that the House adjourn until 11 a.m., Tuesday, February 17, 2004. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 3:47 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk